

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/311,837  
Filing Date: May 14, 1999  
Applicant: Barta et al.  
Group Art Unit: 1625  
Examiner: C. Chang  
Title: Aromatic Sulfone Hydroxamic Acid Metalloprotease Inhibitors  
Attorney Docket: 3124/4/US (formerly MON-116.6)

---

17/  
#A ID8

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir/Madam:

Pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. **LIST OF PATENTS, PUBLICATIONS, AND OTHER INFORMATION**

The patents, publications and other information submitted for consideration by the Office (except unpublished U.S. patent applications) are listed on Form 1449 attached hereto.

II. **COPIES**

a. X Submitted herewith is a legible copy of (i) each U.S. patent application publication, U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application which caused it to be listed including the claims directed to that portion and (iv) all other information or that portion which caused it to be listed.

b. \_\_\_\_\_ Any patents, publications or other information which are listed on Form 1449 or on the copies of PTO-892, but which are not enclosed herewith, were previously cited by or submitted to the PTO in one of the following applications which has been relied upon for an earlier filing date under 35 U.S.C. § 120:

U.S. Serial Number

U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications, or other information are in the English language (concise explanation not required).
- b. X A concise explanation of the relevance of each patent, publication or other information listed that is not in the English language is as follows (see 37 C.F.R. § 1.98(a)(3)): as to JP 4-338331, see the abstract attached to the reference and the chemical structures and descriptions thereof contained within the reference.
- c. \_\_\_\_\_ The following additional information is provided for the Examiner's consideration.

IV. CROSS REFERENCE TO RELATED APPLICATION(S)

- a. \_\_\_\_\_ The Examiner is advised that the following co-pending application(s) contain(s) subject matter that may be related to the present application. By bringing this(these) application(s) to the Examiner's attention, Applicant(s) does(do) not waive the confidentiality provisions of 35 U.S.C. § 122.

Serial No.

Filing Date

Art Unit

V. THIS IDS IS BEING FILED UNDER

- a. \_\_\_\_\_ 37 C.F.R. § 1.97(b): (check only one box)

1. \_\_\_\_\_ within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d) (37 C.F.R. § 1.97(b)(1)). No fee or certification is required.

2. \_\_\_\_\_ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or certification is required.

3. \_\_\_\_\_ before the mailing of a first Office action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below; or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

4. \_\_\_\_\_ before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No fee or certification is required.

- b. X 37 C.F.R. § 1.97(c): (check only one box)

• before the mailing date of either any Final Office Action under 37 C.F.R. § 1.113, a Notice of Allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution.

1. X No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

2.        See the certification below. No fee is required.

c.        37 C.F.R. § 1.97(d):

• after the mailing date of either a Final Office Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311, yet on or before payment of the issue fee.

1.        See the certification below. A fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e): (check only one box)

The undersigned hereby certifies that:

a.        each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(1)); or

b.        no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS (See 37 C.F.R. § 1.97(e)(2)).

c.        Some of the items of information were first cited in any communication from a foreign patent office. As to this information, the undersigned hereby certifies that each item of information contained in this IDS was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check only one box)

a. X A check in the amount of \$180.00 is enclosed for the above-identified fee.

b.        Please charge Deposit Account No. 08-0750 in the amount of \$180.00 for the above-indicated fee. A duplicate copy of this paper is attached.

The above references are being cited only in the interest of candor and without any admission that they constitute statutory prior art, contain matter which anticipates the invention, or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art. Furthermore,

this Information Disclosure Statement shall not be construed as a representation that a search has been made.

If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 08-0750.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: \_\_\_\_\_

8/23/01

By: \_\_\_\_\_

David M. Gryte  
Reg. No. 41,809  
Harness, Dickey & Pierce, P.L.C.  
7700 Bonhomme, Suite 400  
St. Louis, MO 63105

Please direct all telephone calls and correspondence to:  
James M. Warner, PTO Reg. No. 45,199  
Mail Zone 04E  
Corporate Patent Department  
Pharmacia Corporation  
800 N. Lindbergh  
St. Louis, Missouri 63167  
Telephone: (314) 694-3642  
Facsimile: (314) 694-9095

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail addressed to: Commissioner for Patents, Washington, D.C. 20231 on August 23, 2001.

Lana B. Ekiss

FORM HDP-1449 (Based on Form PTO-1449)

**PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE CITATION**  
(Use several sheets if necessary)

Sheet 1 of 1

ATTORNEY DOCKET NO.

3124/4/US

SERIAL NO.

09/311,837

APPLICANT

Barta et al.

FILING DATE

May 14, 1999

GROUP

1625

**U.S. PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Name	Class/ Subclass	(If appropriate) Filing Date
1.		4,595,700	06/17/86	Donald et al.	514/616	

**FOREIGN PATENT DOCUMENTS**

Ref. Desig.	Examiner's Initials	Document Number	Date	Country	Class/ Subclass	Translation Yes	No
2.		99/42436	8/26/99	PCT	C07C/ 239/14		
3.		EP O 606 046	7/13/94	Europe	C07D/ 213/42		
4.		99/25687	5/27/99	PCT	C07D/ 211/66		
5.		EP O 930 067	7/21/99	EP	A61K 31/40		
6.		4-338331	1992	JAPAN	A61K 31/365		x
7.		00/50396	8/31/00	PCT	C07D/ 211/66		
8.		93/20047	10/14/93	PCT	C07C/ 317/44		
9.		90/05719	5/31/90	PCT	C07C 323/62		
10.		96/11209	4/18/96	PCT	C07K 5/06		
11.		95/12389	5/11/95	PCT	A61K 9/127		
12.		97/20824	6/12/97	PCT	C07D 241/04		
13.		94/02466	2/3/94	PCT	C07D 221/14		
14.		94/24140	10/27/94	PCT	C07H 13/04		
15.		95/09841	4/13/95	PCT	C07C 323/60		
16.		96/06074	2/29/96	PCT	C07C 259/06		

Examiner:

Date Considered:

EXAMINER: Please initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.